REMARKS

By this Amendment, Applicant amends Claims 25, 28, 32, 37, 40 and 42, and cancels Claims 27 and 39. Accordingly, after entry of this Amendment, Claims 25, 26, 28 – 38, and 40 – 48 are pending.

Claim Rejections – 35 U.S.C. § 101

The Examiner rejects Claims 25 – 36 under 35 U.S.C. § 101 as being directed to non-statutory subject matter. More particularly, the Examiner asserts that Claim 25 is merely an abstract idea and does not reduce to a practical application in the technological arts. Applicant respectfully disagrees with the Examiner's assertion because it is the entirety of all limitations recited in Claim 25 that define the claimed subject matter. The Examiner, however, appears to base the rejection of Claim 25 only on the limitations marked as (a) – (c), although Claim 25 further includes the step of signaling and a "wherein" clause. Applicant believes that it is improper to extract only some limitations of a claim and to base a rejection under 35 U.S.C. § 101 only on the extracted limitations.

Claim 25 involves, among other acts, the interaction of at least two parties with a database. More particularly, an information processor provides the parties with interactive access to the database for the process-accompanying input and storage of, for example, process knowledge and expert knowledge. Applicant believes that these acts constitute a practical application in the technological arts, for example, because of the interaction of the processor with the database.

For these reasons alone, and because Claim 25 has been amended, as discussed below, Applicant submits that Claims 25 – 36 define statutory subject matter, and respectfully requests the Examiner to withdraw the rejections under 35 U.S.C. § 101.

Claim Rejections – 35 U.S.C. § 112, 2ⁿᵈ Paragraph

The Examiner rejects Claims 25 - 36 under 35 U.S.C. § 112, 2ⁿᵈ paragraph, as being indefinite because of the transitional term "and/or", because of an asserted failure to be distinctive on who does the steps recited in Claim 25, and because of the term "advising."

Claim 25 has been amended to avoid the term "and/or". In addition, the term
"advising" has been deleted from Claim 25. The objections regarding these issues are
believed to be moot in view of the amended claims. Although the Examiner does not
reject Claim 37 under 35 U.S.C. § 112, 2nd paragraph, Claim 37 has been amended
similarly.

Applicant respectfully traverses the rejections of Claims 25 – 35 regarding the
asserted failure to be distinctive. Applicant submits that a method claim does not need to
specify who performs recited steps in order to be distinct under 35 U.S.C. § 112, 2nd
paragraph. Claim 25 as amended is believed to satisfy 35 U.S.C. § 112, 2nd paragraph,
because it sets forth that at least two parties have access to an information processor, that
the interlinking occurs in a database, that the assessment uses the interlinked knowledge
(from the database), that the formulated course of action is based on the assessment
(which uses the interlinked knowledge from the database), and that the course of action is
signaled to a party.

In view of the foregoing, Applicant believes that Claims 25 – 36 are in compliance
with 35 U.S.C. §112, 2nd paragraph, and respectfully requests the Examiner to reconsider
and to withdraw the rejections under 35 U.S.C. §112, 2nd paragraph.

Claim Rejections – 35 USC § 102

The Examiner rejects Claims 25 – 35 and 37 – 47 under 35 U.S.C. § 102 (e) as
being anticipated by Hanson et al (U.S. Patent No. 6,507,865). Hence, the Examiner
asserts that Hanson discloses each and every limitation recited in the listed claims.
Although Applicant respectfully traverses the rejections for the reasons set forth
hereinafter, Applicant has amended independent Claims 25 and 37 to expedite
examination and allowance of the present application.

Claim 25 has been amended to include the limitation of Claim 27, now canceled.
Accordingly, amended Claim 25 recites, among other limitations, the act of "logically
interlinking at least one of process knowledge and expert knowledge in said database,
wherein the interlinking is based on at least one checklist." Claim 37 has been amended
accordingly, and Claim 39 has been canceled.

Hanson discloses a method and system for group content collaboration that makes communication among a group of participants simple (col. 5, lines 61 – 62). The method and system are implemented in a communication network and use an electronic media ("zaplet") for communicating information (col. 5, lines 15 – 18). In the communication network, the method and system provide that the content of the electronic medium is current when read or accessed by any of the participants (col. 3, lines 3 – 5). As such, Applicant submits that Hanson is communication improving method not related to the field of knowledge-based management of a business process, and that Hanson, therefore, fails to disclose or suggest limitations of Claim 25 that are specific to that field, e.g., process-accompanying input and storage of process knowledge and expert knowledge, and formulation of a course of action.

More particularly, and as a consequence of Hanson being focused on improving communication, Hanson does not disclose or suggest an interlinking that is based on at least one checklist. Hanson discloses various embodiments of electronic forms (e.g., form 100 of Fig. 3) and zaplets containing static and dynamic content regions (col. 5, lines 18 – 22). The electronic forms can be filled with information and correspond in principal to the product idea table shown in Figure 4 of the present application. The table of Figure 4 is not a checklist, neither are Hanson's electronic forms. Hanson's forms are merely carriers of knowledge. The checklist, as recited in amended Claim 25, however, is not only the carrier of knowledge, but contains further an evaluation of the knowledge contained therein. Figure 5 of the present application shows an exemplary checklist. Hence, the checklist recited in amended Claim 25 contains knowledge and a corresponding evaluation. The evaluated knowledge is the basis for generating subsequent actions in the project or process management.

Furthermore, and with reference to Figure 5 of the present application, the checklist contains basic information about the project, e.g., project name and date, and the involved parties, e.g., project leader and specialist. The checklist includes further work steps the project leader or the team members, or both, have to perform with respect to set milestones.

The status of working-off the work steps is based on a comparison of the status according to the nominal process and the status of the actual process. Such a comparison

results in an evaluation of the process, as shown in Figure 5. The evaluation may be
number coded, e.g., "0" for "basic advancement" or results not achieved or not on time.
The checklist, hence, contains evaluated knowledge.

In view of the above, Applicant submits that Hanson is unrelated to the
knowledge-based management of a business process, and that Hanson fails to disclose or
suggest a method that uses a checklist. Accordingly, Hanson does not anticipate or render
obvious the subject matter of amended Claim 25. Applicant respectfully requests the
Examiner to reconsider and to withdraw the rejection of Claim 25, and to pass Claim 25,
as amended, to allowance.

Claims 26 and 28 – 35 depend from independent Claim 25. For the inventive
features recited in these dependent claims and because they depend from patentable Claim
25, Claims 26 and 28 – 35 are believed to be allowable as well. Applicant respectfully
requests the Examiner to reconsider and to withdraw the rejections and to pass Claims 26
and 28 – 35 to allowance.

Independent Claim 37 defines a data processing system for the knowledge-based
managing of a business process. Claim 37 has been amended similar to Claim 25 and
recites a checklist. Applicant submits that the above arguments regarding Claim 25 apply
equally to Claim 37 as amended. Accordingly, Hanson does not anticipate or render
obvious the subject matter of amended Claim 37. Applicant respectfully requests the
Examiner to reconsider and to withdraw the rejection of Claim 37, and to pass Claim 37,
as amended, to allowance.

Claims 38 and 40 – 47 depend from independent Claim 37. For the inventive
features recited in these dependent claims and because they depend from patentable Claim
37, Claims 38 and 40 – 47 are believed to be allowable as well. Applicant respectfully
requests the Examiner to reconsider and to withdraw the rejections and to pass Claims 38
and 40 – 47 to allowance.

Claim Rejections – 35 USC § 103

The Examiner rejects Claims 36 and 48 under 35 U.S.C. § 103 (a) as being
unpatentable over Hanson in view of Hennessy (U.S. Patent No. 6,277,071). Claims 36
and 48 depend from Claims 25 and 37, respectively, which are believed to be allowable as

discussed above. For the inventive features recited in these dependent claims and because

they depend from patentable claims, Claims 36 and 48 are believed to be allowable as

well. Applicant respectfully requests the Examiner to reconsider and to withdraw the
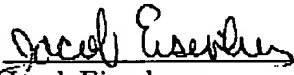
rejections and to pass Claims 36 and 48 to allowance.

Conclusion

A full and complete response to the outstanding Office Action is believed to have been made. This response is believed to place the application in condition for allowance and such allowance is respectfully requested. No new matter has been added. The Examiner is invited to contact the undersigned at jacob.eisenberg@siemens.com for any reason.

Further, the present response is intended to correspond with the Revised Amendment Format. Applicant understands that with the Revised Amendment Format, the provisions of 37 CFR §1.121 are waived. Should any part of the present response not be in full compliance with the requirements of the Revised Amendment Format, the Examiner is asked to contact the undersigned for immediate correction.

In the event that the transmittal form is separated from this document and the Patent Office determines that an extension of time and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees in connection with the filing of this document to **Deposit Account No.: 502464** referencing **client reference:** 2000P21846US. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Date: MARCH 2, 2005
SIEMENS SCHWEIZ
Intellectual Property
IP, I-44
Albisriederstrasse 245
CH-8047 Zürich, Switzerland
Tel: +41 (0) 585 583 295
Fax: +41 (0) 585 583 228

Jacob Eisenberg
Attorney for Applicant
Registration No. 43,410
Customer No.: 28,204

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